



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB4782

by Rep. Kelly M. Cassidy

#### SYNOPSIS AS INTRODUCED:

735 ILCS 5/9-111.1

Amends the Forcible Entry and Detainer Article of the Code of Civil Procedure. Provides that, after the entry of a judgment in favor of a condominium board of managers for possession of a unit under specified provisions, the board of managers may lease the unit to a bona fide tenant for a term which may commence at any time within 8 months after the month in which the date of expiration of the stay of judgment occurs, and may not exceed 13 months from the date of commencement of the lease. Removes language providing that the term of the lease is not to exceed 13 months from the expiration of the stay of judgment unless extended by order of the court. Provides that, upon motion of the board of managers and with notice to the dispossessed unit owner, the court may permit or extend a lease for one or more additional terms not to exceed 13 months per term.

LRB098 17137 HEP 52224 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Code of Civil Procedure is amended by  
5 changing Section 9-111.1 as follows:

6 (735 ILCS 5/9-111.1)

7 Sec. 9-111.1. Lease to bona fide tenant. Upon the entry of  
8 a judgment in favor of a board of managers for possession of  
9 property under the Condominium Property Act, as provided in  
10 Section 9-111 of this Act, and upon delivery of possession of  
11 the premises by the sheriff or other authorized official to the  
12 board of managers pursuant to execution upon the judgment, the  
13 board of managers shall have the right and authority,  
14 incidental to the right of possession of a unit under the  
15 judgment, but not the obligation, to lease the unit to a bona  
16 fide tenant (whether the tenant is in occupancy or not)  
17 pursuant to a written lease for a term which may commence at  
18 any time within 8 months after the month in which the date of  
19 expiration of the stay of judgment occurs. The term may not to  
20 exceed 13 months from the date of commencement of the lease.  
21 The expiration of the stay of judgment unless extended by order  
22 of court may, upon motion of the board of managers and with  
23 notice to the dispossessed unit owner, permit or extend a lease

1 for one or more additional terms not to exceed 13 months per  
2 term. The board of managers shall first apply all rental income  
3 to assessments and other charges sued upon in the action for  
4 possession plus statutory interest on a monetary judgment, if  
5 any, attorneys' fees, and court costs incurred; and then to  
6 other expenses lawfully agreed upon (including late charges),  
7 any fines and reasonable expenses necessary to make the unit  
8 rentable, and lastly to assessments accrued thereafter until  
9 assessments are current. Any surplus shall be remitted to the  
10 unit owner. The court shall retain jurisdiction to determine  
11 the reasonableness of the expense of making the unit rentable.  
12 (Source: P.A. 91-357, eff. 7-29-99.)